

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A negative electrode material for non-aqueous electrolyte secondary batteries, comprising:

a negative electrode active material containing a lithium ion-occluding and releasing material selected from the group consisting of (1) silicon particles having an average particle size of about 0.01 to 50  $\mu\text{m}$ , (2) silicon oxide particles represented by the general formula  $\text{SiO}_x$  wherein  $1.0 \leq x < 1.6$  and having an average particle size of about 0.01 to 50  $\mu\text{m}$ , (3) composite dispersion particles having an average particle size of about 0.01 to 50  $\mu\text{m}$  where metallic silicon crystallites having an average particle size of about 1 to 500 nm are dispersed in a crystalline or amorphous silicon dioxide, and (4) mixtures thereof, wherein

which the lithium ion-occluding and releasing material has been treated with an organosilicon base surface treating agent, and

the negative electrode active material is surface-coated with a conductive coating.

2. (Cancelled)

3. (Original) The negative electrode material of claim 1 wherein said organosilicon base surface treating agent is at least one member selected from the group consisting of a silane coupling agent or a (partial) hydrolytic condensate thereof, a silylating agent, and a silicone resin.

4. (Currently Amended) A negative electrode material said for non-aqueous electrolyte secondary batteries, comprising:

a negative electrode active material containing a lithium ion-occluding and releasing material which has been treated with an organosilicon base surface treating agent is at least one member selected from the group consisting of a silane coupling agent of the general formula (1) or a (partial) hydrolytic condensate thereof, a silylating agent of the general formula (2), and a silicone resin of the general formula (3),



wherein R is a monovalent organic group, Y is a hydrolyzable group or hydroxyl group, n is an integer of 1 to 4, p is an integer of 1 to 3, L is an integer of 2 to 4, and m is an integer of 1 to 3,



wherein R<sup>1</sup> is hydrogen or a substituted or unsubstituted monovalent hydrocarbon group of 1 to 10 carbon atoms, R<sup>2</sup> is hydrogen or a substituted or unsubstituted monovalent hydrocarbon group of 1 to 6 carbon atoms, q and r each are 0 or a positive number satisfying 0 ≤ q ≤ 2.5, 0.01 ≤ r ≤ 3, and 0.5 ≤ q+r ≤ 3, and

wherein the negative electrode active material is surface-coated with a conductive coating.

5. (Original) The negative electrode material of claim 1 wherein said conductive coating is a carbon coating.

6. (Currently Amended) The negative electrode material of claim 5 wherein the amount of carbon ~~coated~~ coating is 5 to 70% by weight of said negative electrode active material.

7. (Withdrawn) A method of preparing a negative electrode material for non-aqueous electrolyte secondary batteries, comprising the step of heat treating a negative electrode active material containing a lithium ion-occluding and releasing material which has been treated with an organosilicon base surface treating agent, in an atmosphere containing an organic material gas or vapor at a temperature in the range of 500 to 1400°C.

8. (Withdrawn) The method of claim 7 wherein the organic material gas or vapor is thermally decomposed to form graphite in a non-oxidizing atmosphere at a temperature in the range of 500 to 1400°C.

9. (Previously Presented) A lithium ion secondary battery comprising the negative electrode material of claim 1 or 4 as a negative electrode active material.

10. (Currently Amended) The negative electrode material of claim 1, wherein said lithium ion-occluding and releasing material is a metallic silicon powder particles having an average particle size of 3.5  $\mu\text{m}$  and a BET specific surface area of 4  $\text{m}^2/\text{g}$  or a silicon oxide powder particles  $\text{SiO}_{1.02}$  having an average particle size of 1.1  $\mu\text{m}$  and a BET specific surface area of 10.3  $\text{m}^2/\text{g}$ , and

    said surface treating agent is vinyltrimethoxysilane,  $\gamma$ -methacryloxypropyl-

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trimethoxysilane, or hexamethyldisilazane.